

**FARELLA BRAUN + MARTEL LLP**

Attorneys At Law

Russ Building / 235 Montgomery Street  
San Francisco / CA 94104T 415.954.4400 / F 415.954.4480  
www.fbm.com**ROBERT L. HINES**  
rhines@fbm.com  
D 415.954.4935

July 16, 2012

***Via Email (pdf) and Messenger***Andrew Taylor  
8th Floor, SFD-7-5  
U.S. Environmental Protection Agency  
Superfund Site Clean-up Branch  
75 Hawthorne Street  
San Francisco, CA 94105**Re: Request for Information Pursuant to CERCLA Section 104(e);  
19899 Pacific Gateway Dr. Facility, Torrance, CA  
Del Amo Superfund Site, Operable Unit #1  
Los Angeles County, California**

Dear Mr. Taylor:

Transmitted herewith is the response from our client, Coca-Cola Refreshments USA, Inc. ("CCR") to the captioned CERCLA Section 104(e) request for information. As discussed with EPA Assistant Regional Counsel Sarah Mueller, the deadline for this response was extended to July 16, 2012, so this response is timely. In addition to the enclosed narrative response to the questions in the 104(e) request, the requested documents are provided on the enclosed CD. Although our client has made extensive efforts to review historical documents to prepare this response in a timely fashion, we must reserve the right to supplement this response as necessary, if additional documents are discovered that are responsive or additional information comes to light.

Please contact me or my colleague, John Epperson, if you have any questions about this response or need further information. In addition, I request that you work through me if you wish to contact any of the employees who are listed in the enclosed response. Thank you.

Best regards,

Robert L. Hines

RLH:crm  
Enclosures

cc: S. Mueller, Esq. (EPA) (w/o CD)

**Coca-Cola Refreshments USA, Inc.  
Response to U.S. EPA Request for Information  
Pursuant to CERCLA Section 104(e)**

**19899 Pacific Gateway Dr. Facility, Torrance, CA  
Del Amo Superfund Site, Operable Unit #1  
Los Angeles, CA**

**July 16, 2012**

**Robert L. Hines, Esq.  
John R. Epperson, Esq.  
Farella Braun + Martel LLP  
235 Montgomery Street  
San Francisco, CA 94104  
Ph: (415) 954-4000**

## **I. Introductory Statement**

On behalf of Coca-Cola Refreshments USA, Inc. ("CCR"), this document sets forth CCR's Response to U.S. EPA's April 4, 2012 Request for Information Pursuant to CERCLA Section 104(e) (the "Response") for the Del Amo Superfund Site, Operable Unit #1, Los Angeles, California (the "Site").<sup>1</sup> Some of the documents provided with this Response refer to "BCI Coca-Cola Bottling Co. of LA," which is a wholly-owned subsidiary of CCR. Unless otherwise noted, this Response uses the Definitions set forth in "Enclosure A" to U.S. EPA's April 4, 2012 Request for Information.

CCR submits this Response subject to the following objections/reservation of rights:

- (a) CCR objects to the request because it is overly broad, and seeks in a number of instances information that is not limited to the Property or possible use of the Property or to the time of such use.
- (b) CCR objects to the request to the extent that it calls for the disclosure of information that is privileged and protected under federal or state law. These privileges include, without limitation, the attorney-client privilege and the attorney work product doctrine. CCR reserves the right to refrain from submitting information that is protected by a recognized privilege or other doctrine.

Without waiving any of its rights or privileges, CCR submits the responses set forth below to the Request for Information based on CCR's best knowledge, information and belief, and recollection obtained from a review of the existing records and interviews of CCR employees with knowledge of the operations and activities by CCR at the Property.

CCR is a maker and marketer of non-alcoholic beverage products for human consumption. The Property is utilized as a warehouse and distribution center, including fleet maintenance, for our finished beverage products.

## **II. Response to "Enclosure B: Questions"**

1. Identify those individuals who provided the **KNOWLEDGE, INFORMATION and DOCUMENTS** used to prepare the response to these questions. Include the full name, current title and duties, as well as past titles and duties, current address and telephone number, and tenure for each individual providing an answer for any of these questions.

### **CCR Response:**

Vail T. Thorne, Esq.  
Senior Environmental, Health & Safety Counsel  
The Coca-Cola Company  
One Coca-Cola Plaza

---

<sup>1</sup> CCR requested and U.S. EPA approved an extension to and including July 16, 2012 to respond to the Request for Information.

Atlanta, Georgia 30313  
(404) 676-2121

Ann Macdonald  
Region Environmental Manager – NW  
1551 Atlantic Street  
Union City, California 94587  
(510) 476-7088

Raul Ramirez  
West Region Facilities Manager  
8729 Cleta Street  
Downey, California 90241  
(562) 803-8121

2. When was the **PROPERTY**<sup>[2]</sup> first improved (i.e., first developed).

**CCR Response:**

To the best of our knowledge and following reasonable inquiry, the **PROPERTY** was part of a larger property that was first developed in 1942 when the U.S. Government constructed three facilities that were used for the production of synthetic rubber as part of the U.S. Government's World War II effort.

3. Please provide each Assessor's Parcel Number ("APN") and mailing address used over time for each parcel of the **PROPERTY**, including past parcels no longer used by the Los Angeles Tax Assessor's Office.<sup>[3]</sup> If parcels have been subdivided or merged over time, please note when this change has occurred and indicate where this has occurred on a map or diagram of the **PROPERTY** (preferably a Parcel Map or Plat Map). Please include all **INFORMATION** related to the **PROPERTY**'s past and current "right of way" on any adjacent parcels.

**CCR Response:**

The APN for the property at mailing address 19899 Pacific Gateway Drive, Torrance, California is 7351-034-057. Note that the current mailing address for the **PROPERTY** is 19875 Pacific Gateway Drive. CCR has not attempted to research prior APNs that might have been applicable to the **PROPERTY** in the past.

---

<sup>2</sup> U.S. EPA instructions further state: "The "property" may contain multiple parcels. You must answer for each parcel of the property. Please see Enclosure A for this letter's definition of the term "property" and all other words highlighted in bold text in this enclosure."

<sup>3</sup> U.S. EPA instructions further state: "For example, parcels that have since merged with new ones."

4. Please provide all **DOCUMENTS**, including but not limited to deeds and title, related to **YOUR** purchase of each parcel and any lease agreements related to the **PROPERTY**.

**CCR Response:**

**DOCUMENTS** responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 4."

5. Please provide the ownership history of the parcels within the **PROPERTY** and the operational history during the time **YOU**, or other **OPERATORS** for which **YOU** have **KNOWLEDGE**, owned, leased, or operated on the **PROPERTY**, as well as any previous operational history for which **YOU** have **KNOWLEDGE**, **DOCUMENTS**, or **INFORMATION**. Please include dates of ownership and parcels owned, description and dates of any transfer of ownership, dates of operation and location of operations on the **PROPERTY**, the purpose of operation, and the dates of any change in purpose or operation.

**CCR Response:**

Based upon statements of facts contained in pleadings filed in various litigation related to the **PROPERTY**,<sup>4</sup> in 1942, the U.S. Government began construction of three facilities to produce synthetic rubber on a larger parcel that contained the **PROPERTY**. Production started in 1943, with the three plants being operated by Dow Chemical, Shell Oil Company, and U.S. Rubber Company. Shell Oil Company purchased the facilities in 1955 and operated them until 1970. In 1972, Shell sold the larger parcel to a development company; Cabot, Cabot and Forbes. Various developers owned the larger parcel after 1972 for the purpose of developing segments of the larger parcel into smaller industrial facilities until Coca-Cola Enterprises, Inc., a corporate predecessor to CCR, acquired the **PROPERTY** from Amcena Properties, Inc. in or about 1988. Coca-Cola Enterprises demolished the building that was on the property and constructed a distribution warehouse for non-alcoholic beverages, which is the current use.

6. Please describe **YOUR** past and current relationship to the following companies (or their predecessors and successors) that are associated with the **PROPERTY** and provide all **DOCUMENTS** related to these entities, including but not limited to lease agreements, mergers and acquisitions, and contracts:

- A. PROTOKOL
- B. WIRS INCORPORATED
- C. MRO, INC.
- D. INTERNATIONALE BHAN, INC.
- E. INFOSET CORPORATION
- F. INTERNATIONAL SET, INC.; aka INTERNATIONALE SET, INC.

---

<sup>4</sup> See, e.g., Shell Oil Company's Memorandum In Support of Motion for Summary Judgment, *Hamilton Dutch Investors v. Shell Oil Co.*

G. AMCENA PROPERTIES, INC.

**CCR Response:**

CCR acquired the PROPERTY from Amcena Properties, Inc., as described above in response to Question 5. DOCUMENTS relating to that purchase were provided in response to Question 4. To the best of our knowledge and after reasonable inquiry, CCR has no past or current relationship with any of the other listed entities.

7. Please describe the operations of each of the companies listed in the above question.

**CCR Response:**

CCR is not familiar with the operations of the listed companies, although it is our understanding that Amcena Properties, Inc. may have been in the business of owning and/or developing commercial and industrial properties.

8. Please describe any **YOUR** past and present relationship with Jones Chemicals, Inc., including predecessor and successor companies to Jones Chemicals, Inc. Such relationships may include but should not be limited to transfer or sale of chemicals or **WASTE** between the companies or facilities, common use of **WASTE** handling and/or chemical storage structures and facilities, common sewer line connections or drainage structures, shipment by railway, or shared operations and processing, etc.. Please provide **DOCUMENTS** related to these relationships, including but not limited to agreements and contracts between **YOU** and Jones Chemical Inc., including predecessor and successor companies to Jones Chemical Inc.

**CCR Response:**

To the best of our knowledge and following reasonable inquiry, CCR does not have a relationship, past or present, with Jones Chemicals, Inc.

9. Please describe any past and present relationship between Jones Chemicals, Inc.<sup>[5]</sup>, and all past and current **TENANTS** and **OPERATORS** at the **PROPERTY**. Such relationships may include but should not be limited to transfer or sale of chemicals or **WASTE** between the companies or facilities, common use of **WASTE** handling and/or chemical storage structures and facilities, common sewer line connections or drainage structures, shipment by railway, or shared operations and processing, etc.. Please provide **DOCUMENTS** related to these relationships, including but not limited to agreements and contracts between these entities and Jones Chemical, Inc.

**CCR Response:**

CCR has no knowledge or information regarding the relationship of past tenants and

---

<sup>5</sup> U.S. EPA instructions further state: "Including predecessor and successor companies to Jones Chemicals, Inc."

operators of the PROPERTY with Jones Chemicals, Inc.

10. State whether **YOU** or any past and current **TENANTS** and **OPERATORS** at the **PROPERTY** ever purchased, stored, handled or used **TCE**, **PCE**, chloroform or benzene, including products containing **TCE**, **PCE**, chloroform or benzene on the **PROPERTY**. Please describe and provide all **DOCUMENTS** related to the use of those substances at the **PROPERTY**.

**CCR Response:**

CCR does not use, and has not used in the past, **TCE**, **PCE**, chloroform or benzene, or products containing those chemicals,<sup>6</sup> in its operations at the **PROPERTY**, which is used as a distribution center for non-alcoholic beverages. CCR does not lease space to tenants, currently or in the past, so there is no potential for tenants to have used these chemicals on the **PROPERTY**. CCR does not have specific information about use of these chemicals on the **PROPERTY** by **TENANTS** and **OPERATORS** prior to CCR's ownership.

11. Please state the purpose of railroad siding (aka "railroad spur" or "industrial spur") located along and immediately outside the boundary of the western side of the **PROPERTY**, and state the period of time between 1970 and present that this railroad spur was used by **YOU**, or **TENANTS** and **OPERATORS** at the **PROPERTY**.

**CCR Response:**

CCR does not use the railroad siding in its operations and has no knowledge of the use or purpose of the railroad siding prior to 1988, when it purchased the **PROPERTY**.

12. Please describe and provide **DOCUMENTS** related to the loading and receipt of **HAZARDOUS SUBSTANCES**, including but not limited to **TCE**, **PCE**, chloroform and/or benzene by freight train along the railroad siding, aka "Industrial Spur," located along the western side of the **PROPERTY**. Please describe and provide **DOCUMENTS** related to all **HAZARDOUS SUBSTANCES** ever loaded onto, or offloaded from, freight trains along this railway.

**CCR Response:**

To the best of our knowledge and after reasonable inquiry, CCR did not use the railroad siding to load or offload such substances or **HAZARDOUS SUBSTANCES** onto or from freight trains. CCR has no knowledge of the use or purpose of the railroad siding prior to 1988, when it purchased the **PROPERTY**.

13. State whether there have been any **RELEASES**, or suspected **RELEASES**, of

---

<sup>6</sup> With the exception that benzene is a component of diesel fuel and gasoline, which is used in trucks and automobiles on the Property. Note that trucks are refueled by an off-site vendor so that fuel is not stored on-site.

**HAZARDOUS SUBSTANCES** to the environment at and from the **PROPERTY** and provide any **DOCUMENTS** describing, evidencing or otherwise documenting such **RELEASES**.

**CCR Response:**

Based on the discovery of **HAZARDOUS SUBSTANCES** in the soil and groundwater at the **PROPERTY** at the time that CCR purchased the **PROPERTY**, **RELEASES** are presumed to have taken place prior to that purchase. In addition, there was a minor release of three gallons of diesel fuel in 2008 that was contained on the asphalt yard and cleaned up without reaching storm drains. **DOCUMENTS** responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 13."

14. Please provide any **KNOWLEDGE**, **DOCUMENTS** or **INFORMATION** related to the chemical use history and presence of chemicals and **HAZARDOUS SUBSTANCES** at the **PROPERTY**, including but not limited to chemical inventories and MSDS. This should include but not be limited to all feedstock chemicals, raw materials, chemical intermediates, chemical products, stored chemicals, recycled or reclaimed chemicals, chemicals awaiting recycling or reuse, processing chemicals, or solvents (including but not limited to substances containing or consisting of **PCE**, **TCE**, chloroform or benzene).

**CCR Response:**

Chemicals used at the **PROPERTY** by CCR are limited to those typical of a distribution warehouse for non-alcoholic beverages: office supplies, cleaning supplies, light-duty fleet maintenance. **DOCUMENTS** related to those chemicals are provided on the enclosed CD in the folder marked "Response to Question 14." MSDSs for office supplies and cleaning supplies, which are not responsive to this request, have not been included. In addition, CCR has in its possession various documents related to chemical use at the **PROPERTY** prior to CCR's purchase of the **PROPERTY**. Those documents are also provided on the enclosed CD in the folder marked "Response to Question 14."

15. Provide all **DOCUMENTS**, drawings, diagrams, plans, blueprints, photographs, and flow charts that discuss or depict channels, pits, underground storage tanks, aboveground storage tanks, ponds, drywells, sumps and any other aboveground or underground structures used for storage or disposal since the beginning of **YOUR** operations at the **PROPERTY** and since the beginning of **YOUR** ownership or leasing of the **PROPERTY**.

**CCR Response:**

**DOCUMENTS** responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 15."

16. Identify and provide copies of any **DOCUMENTS** related to any **HAZARDOUS WASTE**-related tax paid by **YOU** and any past and present **TENANT** and **OPERATOR** at the



**PROPERTY**, related to **WASTE** sent from the **PROPERTY** to an off-site disposal facility, and identify the dates upon which those taxes were paid, including but not limited to a description of whether such tax(es) were local, state or federal and the specific regulations under which payment of the tax(es) were required.

**CCR Response:**

DOCUMENTS responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 16." Please note that the facility has not owed any hazardous waste-related taxes since at least 2002 due to the low volume of waste generated.

17. List and provide copies of all Federal, State, County, City and all other local permits, licenses, and/or registrations and their respective permit numbers issued concerning the **PROPERTY** and the storage, use, and discharge of substances containing solvents, **TCE**, **PCE**, chloroform or benzene, including, but not limited to permits and correspondence related to Publicly Owned Treatment Works (POTW), Los Angeles County permits and licenses, and California Air Quality Management District permits and licenses. **YOUR** response must include all compliance testing results for all waste streams exiting the **PROPERTY**.

**CCR Response:**

Although these substances are not stored, used or discharged at the Property, DOCUMENTS responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 17."

18. State whether **YOU** have or had a permit or permits issued under the Resource, Conservation and Recovery Act ("RCRA") for the **PROPERTY**. If the answer is "yes," identify all such permits, including but not limited to the dates of issuance and a general description of the process permitted. Provide copies of all such permits.

**CCR Response:**

No RCRA permit has been issued for this facility during CCR's ownership of the **PROPERTY**, as no RCRA permit is or has been required.

19. Please provide a copy of all waste water and industrial waste water discharge permits issued to the "**PROPERTY**" from 1970 to present, and all **DOCUMENTS** discussing those permits.

**CCR Response:**

DOCUMENTS responsive to this request are provided on the enclosed CD in the folder marked "Response to Question 19." Please note that the Los Angeles County Sanitation District has determined that the facility's wastewater discharge is exempt from industrial wastewater permitting requirements due to the low discharge volume and, on that basis, voided the prior

Industrial Wastewater Discharge Permit. See enclosed May 6, 2010 correspondence from B. Perry.

20. Please list the (a) source, (b) rate of discharge, (c) frequency of discharge, and (d) the constituents of all industrial waste discharged from the **PROPERTY**.

**CCR Response:**

Warehouse floor drains, fleet shop drains and fleet washbay drains flow to an underground, gravity-flow, four-chamber concrete 750-gallon clarifier operating as an oil/water separator, outflow of which flows to the municipal sewer system. Only nominal quantities of industrial wastewater are discharged to the sewer system. Flow to these various drains may include residual non-alcoholic beverage product from rinsing of outside of beverage containers, as well as residual product, dirt, oil and grease from general cleaning and scrubbing floors of fleet shop and warehouse.

21. Please describe how and where waste water and industrial waste water was discharged prior to the earliest discharge permit issued to the **PROPERTY**.

**CCR Response:**

CCR has no knowledge of how waste water and industrial waste water was discharged prior to 1988 when it purchased the property.

22. Provide the names, addresses and telephone numbers of any individuals, including the former and current employees of both **YOU** and the past and present **PROPERTY TENANTS** and **OPERATORS**, who may be knowledgeable of operations that involved the handling, storage, and disposal of **HAZARDOUS SUBSTANCES** on the **PROPERTY**.

**CCR Response:**

Ann MacDonald  
Region Environmental Manager – NW  
1551 Atlantic Street  
Union City, California 94587  
(510) 476-7088

Garrett Walker (Lead Mechanic)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653

Gary Seamons (Mechanic)  
19875 Pacific Gateway Drive.  
Torrance, California

Coca-Cola Refreshments USA, Inc.  
Response to U.S. EPA Request for Information  
Pursuant to CERCLA Section 104(e)  
July 16, 2012  
Page 9

(310) 965-2653

Richard McColery (Mechanic)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653

Jim Newman (Fleet Supervisor)  
8729 Cleta Street  
Downey, California  
(562) 803-8129

Willie Choat (Warehouse Manager)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653

Manfred (Fred) Keller (Distribution Supervisor)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653

Paul Ebert (Warehouse Supervisor)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653

Jerry Tolbert (Retired)  
(310) 971-6067

Robert Macias (Current Distribution Center Manager)  
19875 Pacific Gateway Drive.  
Torrance, California  
(310) 965-2653